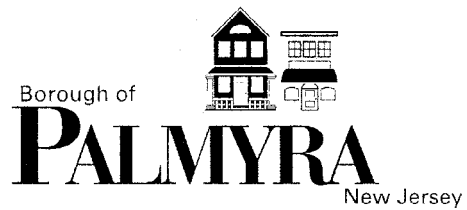


Housing Element

Fair Share Plan

BOROUGH OF PALMYRA, BURLINGTON COUNTY



November 17, 2008



A handwritten signature in black ink, appearing to read "Dave Gerkens".

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Foreword

According to the New Jersey Municipal Land Use Law, 40:55D-28b(3)), a municipal Master Plan must contain a Housing Element. Pursuant to Section C. 52:27D-310 a municipal housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs with particular attention to low and moderate income housing. This report is an update of the Housing Plan element adopted by the Borough of Palmyra Council on November 21, 2005. It includes the Borough's third round housing obligation (2004 to 2018) pursuant to Chapter 97, "Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning December 20, 2004." A calculation of the currently projected third round obligation and a Fair Share Compliance Plan to meet that obligation are included.

Palmyra previously submitted a Round III Housing Element and Fair Share Plan in December 2005 in accordance with the November 2004 COAH adopted Third Round Rules (Chapter 5:94). Palmyra has revised its plan and is petitioning COAH again because portions of these COAH rules were overturned in 2007. This new plan meets the revised COAH rules which became effective June 2, 2008 and amendments to those rules which became effective in October 2008. In addition, they also conform to new housing legislation signed by the Governor on July 17, 2008.

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Introduction

In 1975 the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate-income housing. In its 1983 Mt. Laurel II decision the Court expanded the Mt. Laurel doctrine and stated that all municipalities share in the obligation. In July 1985 the Fair Housing Act was enacted as the legislative response to the Supreme Court rulings. The Act created the Council on Affordable Housing as the administrative alternative to the courts.

The Fair Housing Act directs the New Jersey Council on Affordable Housing (COAH) to provide regulations that allow municipalities to prepare comprehensive responses which will provide a realistic opportunity for the provision of affordable housing through municipal land use regulation. COAH's primary responsibilities are:

- Establish Housing Regions for the State;
- Estimate regional housing need; and
- Provide guidelines for municipalities to use in addressing their fair share obligations.

Municipal responsibilities under the Fair Housing Act consist of adopting and filing with COAH a Housing Element, prepared according to COAH's criteria and guidelines. According to the New Jersey Municipal Land Use Law, C.52:27D-310, the Housing Element shall contain at least:

1. The inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next six years subsequent to the adoption of the Housing Element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing;
6. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

This Housing Element meets all of above requirements as specified in the latest addition of the Municipal Land Use Law, dated February 2008. This plan meets the guidelines of the revised COAH Round III rules and recently adopted State legislation.

I. Background Information

The Borough of Palmyra consists of a land area of 1.98 square miles or approximately 1,265 acres and is located in southern New Jersey, in Burlington County. The Borough is bound by the Delaware River to the north, the townships of Cinnaminson and Pennsauken to the south, and the Borough of Riverton to the east. The Township of Pennsauken is situated to the west.

The Borough is historically a suburban, bedroom community, for commuters working in the cities of Camden and Philadelphia. With the exception of a small number of infill lots, the only developable land remaining is the Route 73 South Redevelopment area. The Borough also faces significant issues to redevelop its existing business and transportation corridors and other infrastructure.

Residential property (valuation) serves as the largest component of the Borough's tax base, at 86.2%, while commercial and other nonresidential valuations equal the remaining 13.8%.

HOUSING CHARACTERISTICS

Age of Housing

The median age of all housing units in Palmyra is 58 years. This makes the median age of the housing stock approximately 20 years older than Burlington County. The median age of the housing stock is roughly the same as in neighboring Cinnaminson and Pennsauken and slightly less than Riverton. As shown in the data in *Table 1* below, there was significant housing construction during the 1980s and 1990s in the Borough unlike its most immediate neighbor, Riverton.

<i>Table 1: Age of Housing</i>					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Total Housing Units:	3,219	1,113	5,147	12,938	161,311
Built 1999 to March 2000	55	0	60	8	4,004
Built 1995 to 1998	88	11	154	135	10,425
Built 1990 to 1994	32	0	185	264	12,138
Built 1980 to 1989	132	4	281	831	25,620
Built 1970 to 1979	643	23	594	1,245	32,103
Built 1960 to 1969	233	60	2,250	2,501	28,884
Built 1950 to 1959	444	145	1,064	3,646	21,774
Built 1940 to 1949	328	66	226	1,449	7,282
Built 1939 or earlier	1,264	804	333	2,859	19,081
Median year structure	1950	1940-	1964	1956	1971
<i>Source: 2000 U.S. Census, Tables H34 and H35</i>					

Condition of Housing

The 2000 Census data indicates the Borough's housing stock is well maintained. Less than 1% of the units lack plumbing facilities and less than 1% lack complete kitchen facilities. These figures are consistent with the surrounding municipalities and County. Just over half a percent of the units built before 1950 are considered crowded. Overcrowding is defined by the U.S. Department of Housing and Urban Development as any unit with more than one person living per room.

Table 2: Condition of Housing					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Total housing units	3,219	1,113	5,147	12,938	161,311
Lacking complete plumbing facilities	5	0	17	52	623
% Lacking complete plumbing facilities	0.16%	0%	0.33%	0.40%	0.39%
Lacking complete kitchen facilities	13	6	0	52	657
% Lacking complete kitchen facilities	0.40%	0.54%	0.00%	0.40%	0.41%
Crowded, Built Pre 1950	19	17	7	195	547
% Crowded, Built Pre 1950	0.59%	1.53%	0.14%	1.51%	0.34%

Source: 2000 U.S. Census, Tables H47, H49, and H50

Purchase or Rental Value of Housing

Table 3 below indicates that the median value of housing in Palmyra is less than the County as a whole and neighboring Riverton and Cinnaminson but slightly more than Pennsauken. The median rents in Palmyra, however, are greater than the County, Riverton, and Pennsauken but less than Cinnaminson.

Table 3: Purchase and Rental Value of Housing					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Median contract rent	685	639	760	531	672
Median value	110,300	156,600	158,200	95,200	134,000

Source: 2000 U.S. Census, Tables H56, and H85

Occupancy Characteristics

The vacancy rate in Palmyra was 6.68% in 2000 which is higher than the Burlington County rate as well as the vacancy rates of Riverton, Cinnaminson, and Pennsauken. One explanation for this higher rate, is the high number of units for rent and sale (*Table 4*).

Table 4: Occupancy Characteristics of Housing					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Total Housing Units	3,219	1,113	5,147	12,938	161,311
Occupied	3,004	1,066	5,057	12,382	154,371
Vacant	215	47	90	556	6,940
% vacant	6.68%	4.22%	1.75%	4.30%	4.30%
For rent	100	20	5	167	2,226
For sale only	59	7	38	228	2,230
Rented or sold, not occupied	14	13	24	83	708
For seasonal, recreational, or occasional use	29	0	12	22	595
For migrant workers	0	0	0	0	0
Other vacant	13	7	11	56	1,181
<i>Source: 2000 U.S. Census, Tables H6 and H8</i>					

Housing Type

Almost 70% of Palmyra's housing stock is owner occupied. This figure is less than Burlington County and the neighboring municipalities of Riverton, Cinnaminson, and Pennsauken.

Table 5 below also shows units with "selected conditions," defined by the U.S. Census as units as having at least one of the following conditions: (1) lacking complete plumbing facilities, (2) lacking complete kitchen facilities, (3) with 1.01 or more occupants per room, (4) selected monthly owner costs as a percentage of household income in 1999 greater than 30 percent, and (5) gross rent as a percentage of household income in 1999 greater than 30 percent. These figures indicate that almost 30% of Palmyra's owner occupied housing stock and 31% of the renter occupied housing in the Borough has one or more of these selected conditions.

Table 5: Housing Tenancy & "Special Conditions"					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Total units:	3,004	1,066	5,057	12,382	154,371
Owner occupied:	2,100	815	4,868	9,966	119,500
% Owner occupied	69.91%	76.45%	96.26%	80.49%	77.41%
Owner occupied with one or more selected condition	594	199	978	3158	30150
% of Owner occupied units with selected condition	28.29%	24.42%	20.09%	31.69%	25.23%
Renter occupied:	904	251	189	2,416	34,871
% Renter occupied	30.09%	23.55%	3.74%	19.51%	22.59%
Renter with one or more selected condition	284	131	41	924	12710
% of rental units with selected conditions	31.42%	52.19%	21.69%	38.25%	36.45%
<i>Source: 2000 U.S. Census, Tables HCT28</i>					

Almost 50% of the housing units in Palmyra are single-family detached units (*Table 6*). This percentage is less than Burlington County and the surrounding communities. In comparison, over 90% of the units in Cinnaminson are single family detached units.

Table 6: Units in Structure					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Total Housing Units:	3,219	1,113	5,147	12,938	161,311
1, detached	1,597	677	4,818	9,254	104,299
1, attached	711	139	89	1,489	22,090
2	297	113	37	601	3,783
3 or 4	116	78	16	527	6,374
5 to 9	186	100	172	107	8,196
10 to 19	230	0	5	105	7,251
20 to 49	38	6	0	33	2,999
50 or more	40	0	0	733	3,810
Mobile home	4	0	10	72	2,477
Boat, RV, van, etc.	0	0	0	17	32
% 1, detached	49.61%	60.83%	93.61%	71.53%	64.66%
<i>Source: 2000 U.S. Census, Tables H 30</i>					

Existing Units in Palmyra Affordable to Low-and-Moderate Income Households

In order to determine the number of existing housing units that are and are not affordable to low- and moderate-income households, the Borough will utilize COAH and Federal housing definitions of housing affordability as well as 2000 Census data in an attempt quantify this estimate.

These agencies use a threshold to define affordability based on housing expense as a percentage of monthly income for households receiving between 0% and 80% of Median Family Income (MFI). In general, households paying more than 30% of monthly income on housing expense are considered cost burdened. For renters, housing costs include rent plus utilities paid by the tenant. For owners, housing costs include the mortgage payment, property taxes, insurance, condominium or homeowner association fees and utilities.

Using 2000 Census data, the U. S. Department of Housing and Urban Development (HUD) has prepared a "Comprehensive Housing Affordability Strategy (CHAS)" study for communities which receive Federal housing funds. As a participant in the HUD-funded State Small Cities CDBG Program, this data is available for Palmyra. The data is summarized in the following table and is broken out by tenure type, household type (i.e., elderly, small family, large family, and other household), and by income category.

Table 7: CHAS Affordability Data for Palmyra

	Renters						Owners					
	Elderly (1 & 2 members) (A)	Small Related (2 to 4 members) (B)	Large Related (5 or more members) (C)	All (D)	Total (E)		Elderly (1 & 2 members) (F)	Small Related (2 to 4 members) (G)	Large Related (5 or more members) (H)	All (I)	Total (J)	Total (K)
				Other (D)	Renters (E)					Other (I)	Owners (J)	Households (K)
Household by Type, Income, & Housing Problem												
Household Income <= 50% MFI	18	73	8	45	144		236	18	16	43	313	457
Household Income <=30% MFI	0	19	8	33	60		93	0	0	14	107	167
% with any housing problems	N/A	100.0	100.0	75.8	86.7		95.7	N/A	N/A	100.0	96.3	92.8
% Cost Burden >30%	N/A	100.0	100.0	75.8	86.7		95.7	N/A	N/A	100.0	96.3	92.8
% Cost Burden >50%	N/A	100.0	50.0	75.8	80.0		63.4	N/A	N/A	100.0	68.2	72.5
Household Income >30 to <=50% MFI	18	54	0	12	84		143	18	16	29	206	290
% with any housing problems	77.8	92.6	N/A	100.0	90.5		61.5	55.6	75.0	100.0	67.5	74.1
% Cost Burden >30%	77.8	92.6	N/A	100.0	90.5		61.5	55.6	50.0	100.0	65.5	72.8
% Cost Burden >50%	22.2	64.8	N/A	33.3	51.2		2.8	55.6	0.0	86.2	18.9	28.3
Source:	CHAS Data Book, 2000											

According to the 2000 Census there were 3,219 housing units in the Borough. Based on data from the CHAS table there is a relatively small number of households which are considered cost burden, but the percentage for certain groups appears to be high. For example, 77.8% of elderly renter-occupied units in the 30% to 50% of MFI income category are experiencing housing problems, and approximately 22% of units have a cost burden greater than 50%. Other observations include:

- 92.6% of 54 households for small related renters in the 30% to 50% of MFI income category are experiencing housing problems, and of this number, 92.6% has a cost burden greater than 30% of their incomes, while 64.8% have a cost burden greater than 50% of their incomes.
- 61.5% of 142 households for elderly owner-occupied units in the 30% to 50% of MFI income category are experiencing housing problems, and of this figure, 61.5% has a cost burden greater than 30%.

DEMOGRAPHIC CHARACTERISTICS

Population Trend

The population of Palmyra was relatively stable from 1980 to 2000. Unlike the neighboring municipalities of Riverton and Cinnaminson who each lost close to 10% of its population, Palmyra did not experience a significant decline in population. Similarly, the Borough did not experience the 16% population increase found in Burlington County as a whole.

The planned Route 73 South Redevelopment area may generate 500 additional housing units by 2012, its anticipated completion date. However, this growth rate is not expected to continue, and is likely to decline as the Borough reaches full build-out and the existing housing stock continues to age.

Table 8: Population Growth, 1980-2000

	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
1980	7,085	3,068	16,072	33,775	362,542
1990	7,056	2,775	14,583	34,779	395,066
2000	7,091	2,759	14,595	35,737	423,394
% Growth (1980-2000)	.1	-10.0	-9.1	5.8	16.7
<i>Source: 2000 U.S. Census, Tables P 1, 1990 U.S. Census P001</i>					

Household Size and Type

The average household size in Palmyra is 2.36 persons. The household size is larger for owner occupied units (2.5) and almost 2 for renter occupied units. In comparison to the County and the surrounding municipalities, the average household size in Palmyra is slightly smaller.

Over 60% of the households in Palmyra are family households. Of that, 45% are married couple families. In comparison to the County and neighboring municipalities, there are more non-family households and there are more single parent households in Palmyra.

Table 9: Household Size & Type					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Average household size--All Units	2.36	2.48	2.85	2.83	2.65
Average household size - Owner occupied	2.5	2.71	2.86	2.97	2.77
Average household size - Renter occupied	2.03	1.74	2.56	2.27	2.24
Total households	3,004	1,066	5,057	12,389	154,371
Family households	1,852	746	4,143	9,097	111,581
% Family households	61.65%	69.98%	81.93%	73.43%	72.28%
Married-couple family	1,354	626	3,567	6,396	89,052
% married couple family	45.07%	58.72%	70.54%	51.63%	57.69%
Male householder, no wife present	123	30	141	692	5,744
Female householder, no husband present	375	90	435	2,009	16,785
Nonfamily households		1,152	320	914	3,292
<i>Source: 2000 U.S. Census, Tables H17</i>					

Age Characteristics

The age-sex distribution of the population as well as Burlington County and New Jersey is shown in the population pyramids in the following figure. The population profile does not differ significantly from the County profile, although the Borough has a slightly older median age of 38.0 years relative to Burlington County (37.1 years). The male population was slightly smaller (3.6 percentage points) than the female population. This is consistent with the County norm, where the female population is one percentage point larger than the male population.

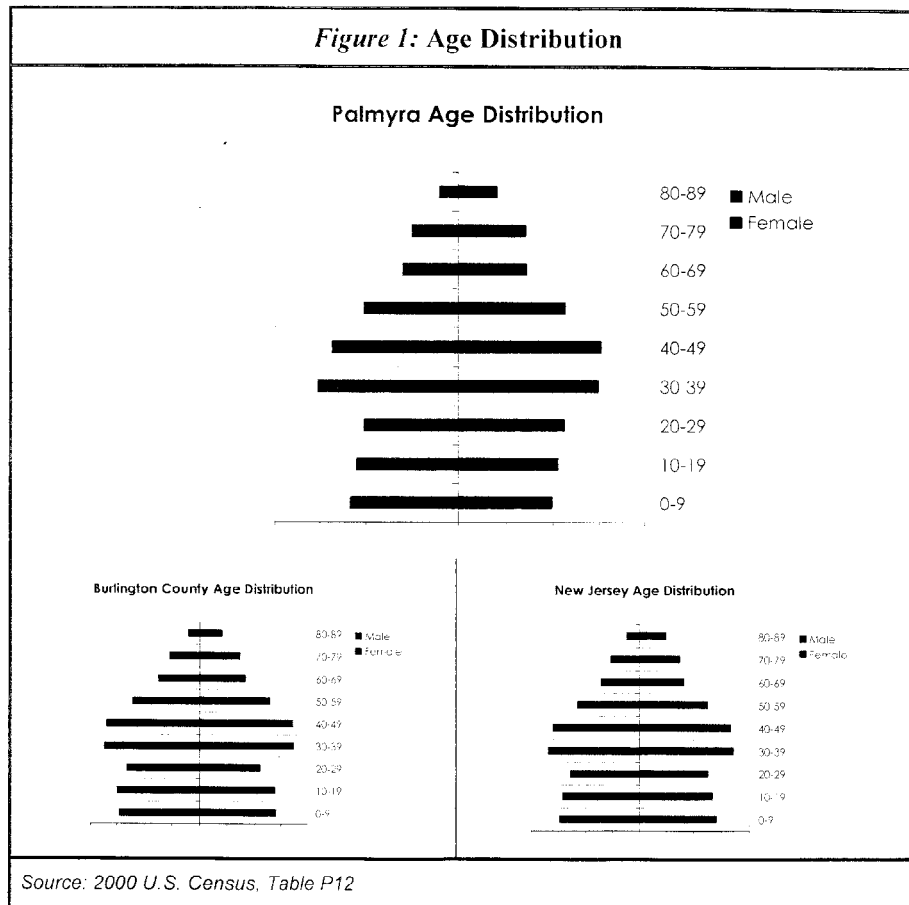


Table 10: Median Age					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Both sexes	38	41.8	42	36.1	37.1
Male	36.4	40.6	41	34.8	35.8
Female	39.4	42.8	42.9	37.3	38.4
<i>Source: 2000 U.S. Census, Table P13</i>					

Income Level

The 1999 median income in Palmyra was \$51,150. This is 15% less than the median income for Burlington County.

Table 11: Median Income					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Median household income in 1999	51,150	58,977	68,474	47,538	58,608
<i>Source: 2000 U.S. Census, Table P53</i>					

The 1999 income statistics found in *Table 7* indicate that incomes in Palmyra are consistent with averages for Burlington County with the exception of those incomes at \$100,000 and above.

Table 12: Household Income by Brackets, 1999

	Palmyra		Burlington County
	Number of Households	% of Total	% of Total
Less than \$10,000	103	3.4	3.9
10,000 - 14,999	112	3.7	3.4
15,000 - 24,999	328	10.9	8.2
25,000 - 34,999	335	11.1	10.2
35,000 - 49,999	574	19.1	15.4
50,000 - 74,999	785	26.1	23.2
75,000 - 99,999	503	16.7	15.5
100,000 - 149,999	227	7.5	13.7
150,000 +	40	1.3	6.4

Source: U.S. Census Bureau, Table P 52

The COAH regulations define low (those earning up to 50% of the median household income) and moderate-income households (those earning from more than 50% to 80% of the median household income). The figures are adjusted for household size and the municipality's housing region. Palmyra is part of Region Five, which includes Burlington, Camden and Gloucester Counties. Table 8 provides a breakdown of the maximum 2008 income figures by household size that COAH uses to determine affordability.

Table 13: COAH 2008 Regional Income Limits (Region 5)

Income	Family Size									
	1	1.5	2	3	4	4.5	5	6	7	8
Median	\$52,010	\$55,725	\$59,440	\$66,870	\$74,300	\$77,272	\$80,244	\$86,188	\$92,132	\$98,076
Moderate	\$44,608	\$44,580	\$47,552	\$53,496	\$59,440	\$61,818	\$64,195	\$68,950	\$73,706	\$78,461
Low	\$26,005	\$27,863	\$29,720	\$33,435	\$37,150	\$38,636	\$40,122	\$43,094	\$46,066	\$49,038
Very Low	\$15,603	\$16,718	\$17,832	\$20,061	\$22,290	\$23,182	\$24,073	\$25,856	\$27,640	\$29,423

Source: COAH, 2008

Employment Status of Residents

A greater percentage (61.5%) of Palmyra residents usually worked more than 35 hours per week in 1999 compared to the neighboring municipalities.

Table 14: Employment Status					
	Palmyra	Riverton	Cinnaminson	Pennsauken	Burlington County
Usually worked 35 or more hours per week	3,481	1,194	5,732	14,252	192,981
% of the population that worked 35 or more hours per week	61.5%	53.1%	50.1%	52.9%	58.7%
Usually worked 34 hours or less hours per week	909	321	2,211	4,065	47,093
Did not work in 1999	1271	732	3503	8640	88833
% of the population that did not work in 1999	22.5%	32.6%	30.6%	32.1%	27.0%

Source: 2000 U.S. Census, Table P47

ECONOMIC CHARACTERISTICS*In-Place Employment by Industry Sectors and Number of Persons Employed*

Table 15: Percent Distribution of Employment by Industry, 2000						
Sector	Palmyra		Riverton	Cinnaminson	Pennsauken	Burlington County
	Jobs	%	%	%	%	%
1 - Agriculture, Forestry, Fisheries, & Mining	11	.3	0	.3	.1	.4
2 - Construction	401	10.4	5.7	5.7	5.1	5.6
3 - Manufacturing	418	10.8	11.8	12.6	12.2	11.0
4 - Transportation, Warehousing & Utilities	246	6.4	4.6	4.9	6.7	5.6
5 - Wholesale & Retail Trade	582	15.1	18.2	18.6	17.6	16.4
6 - Information & Finance, Insurance, Real Estate	487	12.6	12.7	10.4	9.7	11.8
7 - Services	1,530	39.6	43.3	43.5	42.2	41.6
8 - Public Administration	188	4.9	3.8	4.0	6.3	7.0

Source: New Jersey Department of Labor

Table 16: Employment by Occupation, 2000

	Palmyra		Burlington County
	Persons	% of Total	% of Total
Management & Professional	1,258	32.6	38.7
Construction, Extraction, & Maintenance	394	10.2	7.6
Sales & Office	1,248	32.3	29.4
Services	485	12.6	12.7
Farming, Forestry, & Fishing	11	.3	.2
Production & Transportation	473	12.2	11.3
Total	3,863	100	100
<i>Source: New Jersey Department of Labor</i>			

Recent Employment Trends

The following table provides a list of the top six employers in Palmyra. Industrial employment remains largest in light manufacturing enterprises, while most private sector-covered employment is retail and service related. As of November 2008, there were approximately 151 businesses in Palmyra.

Table 17: Largest Non-Governmental Employers in Palmyra, 2008

Name	Nature of Business	Number of Employees
Philadelphia Sign Co.	Manufacturing	300
Kerbeck Cadillac	Sales & Repair	147
Gemini Linen	Service	50
Paramo Armotek	Manufacturing	30
Bridge Machine Co.	Manufacturing	40
Murphy & Read Spring	Manufacturing	17
<i>Source: Borough of Palmyra</i>		

Employment Outlook

Until the Route 73 South Redevelopment project is completed, the Borough of Palmyra anticipates a stable or worsening employment climate. With the current economic climate forecast to continue for the foreseeable future, the small and mid-size businesses that exist will face challenging times as they struggle to be profitable. Therefore, the Borough is taking a conservative few in its employment outlook.

Once a Redeveloper has committed to the Route 73 South project, a significant number of both temporary construction and permanent full-time jobs will be created to support the anticipated 500,000 square feet of commercial, 250,000 of exposition center space as well as the 500 residential units.

However, as with the overall employment outlook, the economic climate (as well as the sites environmental constraints) has also made it extremely difficult to bring the project to the Redeveloper Agreement phase, let alone the construction phase.

II. Analysis of Impact of Existing Conditions on Affordable Housing Opportunities

AVAILABILITY OF EXISTING AND PLANNED INFRASTRUCTURE

Palmyra is fully served by public water and sewer. There is adequate capacity in the Borough for in-fill type development in the Borough. The only large area available for significant new development is the Route 73 South Redevelopment Area. This area is currently underdeveloped and is not served by public water, sewer, or access roads. The redevelopment plan for the area calls for the extension of public water and sewer. The existing sewer plant has capacity for Phase I of the redevelopment, but will require expansion prior to full build out of the redevelopment area. Any planned affordable housing in the redevelopment area will be served by this new infrastructure.

ANTICIPATED DEMAND OF TYPES OF USES PERMITTED BY ZONING

The Borough of Palmyra, with the exception of the Route 73 South Redevelopment Area, is a fully built-out suburban municipality that permits all forms of housing development in its various zoning districts. Demand for any one form of development is extremely low due to the lack of vacant land. There is potentially one large (192 acres) area that has been designated for redevelopment, but no formal Redevelopment Agreement is in place to facilitate future development. The existing Redevelopment Plan allows for residential and commercial uses, but may be revised as dictated by economic conditions and redeveloper interest.

ANTICIPATED LAND USE PATTERNS

As stated previously, the Borough of Palmyra is a fully built-out suburban municipality that contains most land uses including a number of small industrial facilities. With the exception of any future redevelopment, land use patterns are stable and are not anticipated to change.

MUNICIPAL ECONOMIC DEVELOPMENT POLICIES

As with many older suburban communities, the Borough of Palmyra struggles to maintain the vibrancy of its downtown. To address these issues, the Borough recently received a grant from the Department of Community Affairs to study the feasibility of forming a Special or Business Improvement District. The study is anticipated to begin in early 2009.

In addition, the Borough has an Economic Development Committee and a Business and Community Alliance which actively promote local businesses. The Burlington County Office of Economic Development also takes an active role in local business promotion.

CONSTRAINTS ON DEVELOPMENT

As a nearly built-out suburban municipality, in-fill and redevelopment are the only two options for development in Palmyra. The lack of land for growth is the ultimate constraint in the Borough with environmental (contamination) and economic issues constraining redevelopment.

EXISTING OR PLANNED MEASURES TO ADDRESS THESE CONSTRAINTS

Other than executing an agreement with a private sector developer to redevelop the Route 73 South area, the Borough of Palmyra has no available measures to address its largest constraint, the lack of land.

CONSIDERATION OF LAND MOST APPROPRIATE FOR LOW AND MODERATE INCOME HOUSING

The area most appropriate for low and moderate income housing in Palmyra is the Route 73 South Redevelopment Area, which is also the only remaining area for development in the Borough. COAH's projections for growth do not take into consideration of the Route 73 South Redevelopment Area. As a result, higher household and non-residential projections are provided. The projections are based on the following planned development in the redevelopment area:

- Demolition of 5,000 square feet of office space
- Demolition of 6,000 square feet of retail space
- Construction of 500 housing units;
- Construction of 500,000 square feet of retail space; and
- Construction of 250,000 square feet of exposition center space (classified as A3)

These projections are consistent with the redevelopment plan submitted by the Borough. It is likely, however, that the exact make-up of housing and non-residential development will change between now and construction. However, these projections are more accurate than the lower estimates provided by COAH.

Very little residential or non-residential development is anticipated outside the Route 73 South Redevelopment area. As a result, the following analysis relates primarily to the redevelopment area.

The proposed uses are considered realistic for the following reasons:

1. Sewer and water will be extended to service the area with private sector funding.
2. The redevelopment plan permits the planned uses and densities.
3. The Borough is currently addressing environmental contamination at the site and has recently completed its Remedial Action Workplan for submission to the NJDEP. To date, one phase of the cleanup effort discovered nearly 100 pieces of unexploded ordnance at the site dating back from its usage as a classified weapons testing facility circa World War II.

III. Fair Share Compliance Plan

The Fair Share Compliance Plan is the implementation plan for meeting Palmyra's projected round three affordable housing obligation. The Plan represents the current strategy that Palmyra intends to implement, following COAH certification, but is also an amendable plan, that will change, as circumstances and developments unfold from now through 2018. Therefore, it will almost certainly require, not unlike other Fair Share Compliance Plans throughout New Jersey, several amendments throughout the life of this Plan.

The Borough's plan for meeting its anticipated affordable housing obligation through 2018 is summarized in the attached COAH application forms and described in more detail in the following sections.

AFFORDABLE HOUSING OBLIGATION

Palmyra's affordable housing obligation is summarized below and detailed below. Worksheet B was utilized to determine Palmyra's growth share obligation because the growth share obligation is projected to be higher than the 71 units projected by COAH. The higher growth share projection of 180 units takes into consideration the redevelopment plan for the Route 73 Redevelopment Area described in the previous section.

Rehab Share: 20 unit obligation – 7 credits = 13 remaining obligation

Prior Round: 39 unit obligation – 21 credits = 18 remaining obligation

Growth Share: 180 unit obligation

Historical Trends of Residential Development

According to the following data on the official New Jersey Department of Community Affairs web-site, 209 housing units were certified between 1999 and 2008, or an average of 21 per year (*Table 18*). In addition, 14 residential units were demolished during this period or an average of 1.4 unit per year. This historical trend of residential development is not reflective of the future residential development in the areas outside the Route 73 Redevelopment because there are no other vacant areas for new residential development. New residential development will be infill and replacement units and is expected to mirror the very slow growth in residential units from 2002 to the present.

There are no other pending, approved or anticipated applications for development besides the Route 73 Redevelopment Area

Table 18: Palmyra's Historic Trend of Residential Development

Year	CO's Issued	Demolition Permits Issued	Net
2008	1	0	1
2007	4	3	1
2006	1	0	1
2005	2	7	-5
2004	0	2	-2
2003	0	1	-1
2002	0	1	-1
2001	44	0	44
2000	108	0	108
1999	49	0	49
TOTAL	209	14	195

Source: Division of Code and Standards, NJ Construction Reporter Data

Historical Trends of Non Residential Development

An analysis of the past ten years of non-residential development reveals that there has been little growth (*Table 19*). Overall, there have been relatively few demolitions in the Borough but historical demolition data by square feet is not available. With the exception of the Route 73 South Redevelopment Area, this trend of minimal non-residential development is expected to continue.

Table 19: Palmyra's Historic Trend of Non-Residential Development

	CO's Issued (Square feet)			
	Office (B)	Assembly (A-3)	Hotels & Motels (R-1)	Storage (S)
1999	0	0	0	1,200
2000	1,792	0	11,070	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0
2005	8,270	171	0	0
2006	0	0	0	0
2007	0	0	0	0
2008	0	7,200	0	0
TOTAL	10,062	7,371	11,070	1,200

Source: Division of Code and Standards, NJ Construction Reporter Data

REHABILITATION

Palmyra already has seven credits towards its rehabilitation obligation. This leaves a remaining obligation of 13 units. Palmyra will apply for a grant through the State's Small Cities Program for additional housing rehabilitation funds. The program will be open to both owner occupied and rental occupied housing units. In the event that Small Cities funds are not available, the Borough of Palmyra has also passed a resolution of intent to bond as a last resort.

ROUTE 73 SOUTH REDEVELOPMENT AREA

A redevelopment plan has been approved for a 192-acre brownfield south of Route 73. The plan calls for the area to be developed into a mixed-use residential and retail area. As discussed earlier, 500 housing units, 500,000 square feet of commercial retail space, and 250,000 square feet of exposition center space are planned. The exact number of housing units and commercial space will be determined after a redeveloper is selected and a formal Redevelopers Agreement is executed.

The developer of the Route 73 South Redevelopment Area will be responsible for meeting the Borough's entire remaining new construction obligation. While the Redevelopment Plan (previously submitted to COAH) stipulates this responsibility, the exact plan for meeting the obligation has not been determined because a redevelopment agreement has not been signed.

For the purposes of this document, the following plan has been developed for meeting the Borough's anticipated affordable housing obligation. However, other alternatives may be pursued once the developer of the Route 73 South Redevelopment Area is selected. The growth share and compliance plan will need to be revised after the redeveloper is selected and determines the exact number of market and affordable residential units constructed on site as well as the square footage and type of commercial development.

The following is a summary of this compliance option:

- The residential component of the Route 73 South Redevelopment Area will be composed of 145 affordable units and 355 market rate units.
- 100% of these units will be family rental units, which will satisfy the Borough's entire requirement for rental units.
- The full crediting of these units as they relate to the prior round and growth share obligation in addition to the bonus credits is in the COAH application form.

CREDITS WITHOUT CONTROLS

The credits without controls process permits the Borough to count units which were constructed between 1980 and 1986, against its second round affordable housing obligation, based on the following criteria:

- The unit is currently occupied by a household whose income is within the COAH determined limits; and
- The unit remains affordable to persons of low/moderate-income based on the sale prices of similar units in the area.

More than 186-units meeting this criteria were identified through a review of COs issued during

that period. These units/owners were surveyed as part of the second round plan to confirm that they were still affordable. Of the 43 responses received by the COAH, 21 units qualified for the credits without controls program. These 21 units have already been counted toward the second round obligation.

IV. Conclusion

Under the round three growth share rules, put into place on June 2, 2008, addressing affordable housing is a long term, ever changing process, as it is based on actual growth. This is a stark difference from rounds one and two, when there was a given obligation number to work against, and that given number would not change during the entire term. On the contrary, under round three rules, the obligation changes with each actual construction project, residential and non-residential alike.

As a result, the Borough will review and recalculate its projected obligation, at least annually, in order to continually refine and update projections based on what has actually been built, and to update projections based on new information concerning likely development projects and their impacts. An annual review will also help to ensure that the Borough maintains an appropriate balance between its affordable housing activities and its actual and most recently planned developments.

1. Planning Board Resolution

**RESOLUTION APPROVING AMENDMENT TO THE BOROUGH OF PALMYRA
MASTER PLAN – HOUSING ELEMENT – PURSUANT TO REPORT DATED
NOVEMBER 13, 2008 AND MODIFICATIONS THERETO**

WHEREAS, N.J.S.A. 40:55D-28 authorizes the Land Use Board to prepare and, after a public hearing, adopt or amend a master plan, or components thereof, to guide the use of lands within the municipality in a manner that protects public health and safety and promotes the public welfare; and

WHEREAS, the Palmyra Land Use Board conducted a public hearing on November 17, 2008 to consider the adoption of an amendment to the Housing Element of the Master Plan Reexamination as set forth in a November 13, 2008 report by David Gerkens, PP, AICP entitled “Draft Housing Element and Draft Fair Share Plan”; and

WHEREAS, a notice of said public hearing was duly published in the Official Newspaper, and written notices were served upon Clerks of adjoining municipalities and upon the Burlington County Planning Board, all as required by the provisions of N.J.S.A. 40:55D-13; and

WHEREAS, at said public hearing the aforesaid document was presented to the public and members of the public were given an opportunity to be heard; and

WHEREAS, at said public hearing the aforesaid document was revised at the first bullet-point on page 20 to provide “The residential component of the Route 73 South Redevelopment Area will be composed of 145 affordable units and 355 market rate units.”

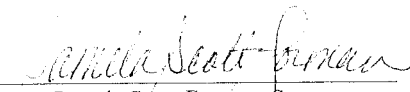
NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Palmyra in the County of Burlington and State of New Jersey on this 17th day of November 2008 as follows:

1. That the “Draft Housing Element and Draft Fair Share Plan” Report of November 13,

copy of this Resolution to the Burlington County Planning Board as required by law.

3. This Resolution shall take effect as provided by law.

I, Pamela Scott-, Secretary of the Borough of Palmyra Land Use Board, in the County of Burlington, and State of New Jersey, do hereby certify the foregoing to be a true copy of the Resolution adopted by the said Borough of Palmyra Land Use Board on the 17th of November, 2008, at a meeting duly convened by said body.



Pamela Scott-Forman, Secretary

**2. Resolution of the Council petitioning COAH for
Substantive Certification of its adopted Housing
Element and Fair Share Plan**

RESOLUTION 2008-166

WHEREAS, the Land Use Board of *the Borough of Palmyra, County of Burlington*], State of New Jersey, adopted the Housing Element of the Master Plan on *November 17, 2008*]; and

WHEREAS, a true copy of the resolution of the Land Use Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Land Use Board adopted the Fair Share Plan on *November 17, 2008*]; and

WHEREAS, a true copy of the resolution of the Land Use Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Governing Body of *the Borough of Palmyra, County of Burlington, and State of New Jersey*, hereby endorses the Housing Element and Fair Share Plan as adopted by the *Borough of Palmyra Land Use Board*; and

BE IT FURTHER RESOLVED that the Governing Body of *the Borough of Palmyra, County of Burlington, and State of New Jersey*, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the office of the Municipal Clerk for *the Borough of Palmyra, County of Burlington, and State of New Jersey*, located at *20 West Broad Street, Palmyra, New Jersey* during the hours of *9:00 to 4:30 p.m.* on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.


Karen Gift
Municipal Clerk

12/23/08
Date

4. Growth Share Determination Worksheet B

Workbook B:
Summary of Growth Share Determination Using Municipal Projections

Municipality Name: Palmyra

(Note: Municipalities seeking a lower growth projection based on the lack of available land may not use Workbook B. Rather, these municipalities must use Workbook C.)

[CLICK HERE to go to Workbook C](#)

This workbook contains two separate worksheets to be used for determining the projected Municipal Growth Share Obligation. Worksheet A must be completed by all municipalities. Worksheet A is the tool that allows the user to enter COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules to determine the Growth Share Obligation after applying exclusions permitted by N.J.A.C. 5:97-2.4. Municipalities that accept the COAH-generated Growth projections need only use Worksheet A.

[Click Here to complete Worksheet A](#)

Municipalities anticipating that growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH should complete Worksheet A and Worksheet B. Worksheet A establishes a projected Growth Share Obligation based on COAH-generated growth projections against which the municipally determined Growth Share Obligation will be compared. Municipal alternative growth projections that exceed COAH projections would be used if the municipality anticipates growth higher than what COAH has projected and seeks to plan accordingly.

[Click Here to complete Worksheet B](#)

Summary Of Worksheet Comparison

COAH Projected Growth Share	COAH Projected Growth Share (From Worksheet A)	Municipally Projected Growth Share (From Worksheet B)
Residential Growth	288	508
Residential Exclusions	0	0
Net Residential Growth	288	508
Residential Growth Share	57.60	101.60
Non-Residential Growth	214	1,261
Non-Residential Exclusions	0	0
Net Non- Residential Growth	214	1,261
Non-Residential Growth Share	13.38	78.80
Total Growth Share	71	180

The Municipal growth share projection exceeds the COAH projection. Please file Workbook B and use a Residential Growth share of 101.6 units plus a Non-residential growth share of 78.8 units for a total growth share obligation of 180 affordable units.

Worksheet B
Growth Share Determination Using Municipal Projections

Municipality Name: Palmyra

Actual Growth 01/01/04 to Present				
Residential COs Issued	8			
	Square Feet Added (COs Issued)	Square Feet Lost Demolition Permits Issued)	Jobs/1,000 SF	Total Jobs
Non-residential CO's by Use Group				
B	8,270		2.8	23.16
M			1.7	0.00
F			1.2	0.00
S			1.0	0.00
H			1.6	0.00
A1			1.6	0.00
A2			3.2	0.00
A3	7,371		1.6	11.79
E			0.0	0.00
I			2.6	0.00
R1			1.7	0.00
Total	15,641	0		35

Projected Growth through 12/31/18 not included in actual above

Pending Residential Approvals	0
Known Residential Development Applications	0
Additional Projected Residential Growth through 2018	500

Pending, Known and Anticipated Non-Residential Growth by Use Group	Square Feet Projected to be built	Square Feet Projected to be Demolished	Jobs/1,000 SF	Total Jobs
B		5,000	2.8	-14.00
M	500,000	6,000	1.7	839.80
F			1.2	0.00
S			1.0	0.00
H			1.6	0.00
A1			1.6	0.00
A2			3.2	0.00
A3	250,000		1.6	400.00
E			0.0	0.00
I			2.6	0.00
R1			1.7	0.00
Total	750,000	11,000		1226

	Residential	Non-Residential
Total Municipal Projections From Above	508	1,261

Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from Worksheet A

If you have not yet completed Worksheet A, Please click here to do so before continuing with Worksheet B.

COs for prior round affordable units built or projected to be built post 1/1/04

Inclusionary Development	0
Alternative Living Arrangements	0
Accessory Apartments	0
Municipally Sponsored or 100% Affordable	0
Assisted Living	0
Other	0

Market Units in Prior Round Inclusionary development built post 1/1/04

0

Non-Residential Exclusions Pursuant to 5:97-2.4(b)

Affordable units	0
Associated Jobs	0

0

Net Growth Projection

508

1,261

Projected Growth Share

Divide Residential Growth by 5 and Jobs by 16

101.60 Affordable Units

78.80 Affordable Units

Total Projected Growth Share Obligation

180.40

Affordable Units

[Click Here to return to Workbook B Summary sheet](#)

Worksheet A: Growth Share Determination Using Published Data(From Appendix F(2), *Allocating Growth To Municipalities*)**COAH Growth Projections****Must be used in all submissions****Municipality Name:****Palmyra**

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page or the links within the page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated based on COAH's growth projections.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2)*	288	214
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs	0	
Accessory Apartments	0	
Municipally Sponsored		
or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
Subtract the following Non-Residential Exclusions Pursuant to 5:97-2.4(b)		
Affordable units	0	
Associated Jobs		0
3 Net Growth Projection	288	214
4 Projected Growth Share (Conversion to Affordable Units Divide HH by 5 and Jobs by 16)	57.60 Affordable Units	13.38 Affordable Units
5 Total Projected Growth Share Obligation		71 Affordable Units

[Click Here to return to Workbook B Summary](#)

* Use Appendix F(2), Figure A.1, Housing Units by Municipality for Residential growth and Appendix F(2), Figure A.2, Employment by Municipality for Non-residential growth.

5. Development Fee Ordinance

BOROUGH OF PALMYRA
COAH DEVELOPMENT FEE ORDINANCE

ORDINANCE 2008-21

1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

- a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
- b) Borough of Palmyra shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
 - ii. **"COAH"** or the **"Council"** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
 - iii. **"Development fee"** means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
 - iv. **"Developer"** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
 - v. **"Equalized assessed value"** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
 - vi. **"Green building strategies"** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Non-residential Development fees

- a) Imposed fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

- iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- b) Eligible exactions, ineligible exactions and exemptions for non-residential development
 - i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
 - iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Borough of Palmyra as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Borough of Palmyra fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) The developer shall pay 100 percent of the calculated development fee amount prior to the municipal issuance of a final certificate of occupancy for the subject property.

i) Appeal of development fees

- 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Borough of Palmyra. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
- 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Borough of Palmyra. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 1. payments in lieu of on-site construction of affordable units;
 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 3. rental income from municipally operated units;
 4. repayments from affordable housing program loans;
 5. recapture funds;
 6. proceeds from the sale of affordable units; and
 7. any other funds collected in connection with Palmyra's affordable housing program.
- c) Within seven days from the opening of the trust fund account, the Borough of Palmyra shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8 Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Borough of Palmyra's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.
- b) Funds shall not be expended to reimburse Palmyra for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner may entitle the Borough of Palmyra to bonus credits pursuant to N.J.A.C. 5:97-3.7.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

- d) The Borough of Palmyra may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

- a) The Borough of Palmyra shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Palmyra's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

- a) The ability for the Borough of Palmyra to impose, collect and expend development fees shall expire with its substantive certification unless the Borough of Palmyra has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Borough of Palmyra fails to renew its ability to impose and collect development fees prior to the expiration of : *substantive certification*, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The Borough of Palmyra shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Borough of Palmyra retroactively impose a development fee on such a development. The

Borough of Palmyra shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

CERTIFICATE OF CLERK

I, Karen Gift, Borough Clerk of the Borough of Palmyra, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an ordinance introduced by the Borough Council at a Regular meeting of said Council held on November 10, 2008. A public hearing and adoption of the foregoing Ordinance to be held on December 8, 2008.


KAREN GIFT
Borough Clerk

6. Spending Plan

Borough of Palmyra Affordable Housing Trust Fund Spending Plan

INTRODUCTION

The Borough of Palmyra has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was submitted to COAH on December 31, 2008 and was based on the model document provided. The ordinance will be adopted in January 2009. The ordinance establishes the Borough of Palmyra affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, the Borough of Palmyra has not collected any funds to date nor has it expended any funds, resulting in a balance of \$0. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in PNC Bank, Cinnaminson, New Jersey for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, the Borough of Palmyra considered the following:

(a) Development fees:

1. Nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018											
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:	\$0	\$0	\$0	\$270,000	\$675,000	\$0	\$0	\$0	\$0	\$0	\$0	\$945,000
1. Approved Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2. Development Pending Approval	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3. Projected Development	\$0	\$0	\$0	\$270,000	\$675,000	\$0	\$0	\$0	\$0	\$0	\$0	\$945,000
(b) Payments in Lieu of Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(c) Other Funds (Specify source(s))	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(d) Interest	\$0	\$0	\$0	\$5,400	\$13,500	\$0	\$0	\$0	\$0	\$0	\$0	\$18,900
Total	\$0	\$0	\$0	\$275,400	\$688,500	\$0	\$0	\$0	\$0	\$0	\$0	\$963,900

The Borough of Palmyra projects a total of \$963,900 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Borough of Palmyra:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with the Borough of Palmyra's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The Borough of Palmyra, with the exception of the mandatory affordability assistance, and 20% for administration, will dedicate the remainder of any development fees collected to offset the cost of the new construction of rental or owner occupied units.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

The Borough of *Palmyra* will dedicate \$481,950 to rehabilitation or new construction programs (see detailed descriptions in Fair Share Plan) as follows:

Rehabilitation program: \$0 The Borough of Palmyra is a Small Cities eligible community, and plans to secure Housing Rehabilitation funds from this source, to address its rehabilitation obligation. The Borough has been administering a successful rehabilitation program for more than five years utilizing Small Cities, RCA and Neighborhood Preservation Program (NPP) funding.

New construction project(s): \$481,950. All development fees collected will be utilized for new construction, with the exception of the mandatory set aside for affordability assistance, and 20% for administrative costs.

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees through 7/17/2008		\$0
Actual interest earned through 7/17/2008	+	\$0
Development fees projected* 2008-2018	+	\$945,000
Interest projected* 2008-2018	+	\$18,900
Less housing activity expenditures through 6/2/2008	-	\$0
Total	=	\$963,900
30 percent requirement	x 0.30 =	\$289,170
Less Affordability assistance expenditures through 12/31/2004	-	\$0
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018	-	\$289,170
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	÷ 3 =	\$96,390

* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

The Borough of Palmyra will dedicate \$289,170 from the affordable housing trust fund to render units more affordable, including \$96,390 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

The Borough of Palmyra intends to utilize the full 30% affordability assistance set-aside to administer a down payment assistance program to eligible potential homebuyers.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

The Borough of Palmyra projects that \$134,946 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

The Borough of Palmyra will utilize 20% of the development fee to assist with its Administrative Agent responsibilities. A portion of the funds may be used to offset other administrative costs such as accounting, bookkeeping, reporting, etc.

The Borough of Palmyra intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

December 2008

5. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of the Borough of Palmyra has adopted a resolution agreeing to fund any shortfall of funds required for implementing its new construction program. In the event that a shortfall of anticipated revenues occurs, the Borough of Palmyra will pass a resolution of intent to bond. A copy of the adopted resolution is attached.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used to expand the existing housing rehabilitation program.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with the Borough of Palmyra's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

I **SUMMARY**

The Borough of Palmyra intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated November 17, 2008.

The Borough of Palmyra has a balance of \$0 as of July 17, 2008 and anticipates an additional \$963,900 in revenues before the expiration of substantive certification for a total of \$963,900. The municipality will dedicate \$539,784 towards new construction, \$289,170 to render units more affordable, and \$134,946 to administrative costs. Any shortfall of funds will be offset by local bonding. The municipality will dedicate any excess funds toward expansion of its existing housing rehabilitation program.

SPENDING PLAN SUMMARY	
Balance as of July 17, 2008	\$0
PROJECTED REVENUE July 18, 2008-2018	
Development fees	+ \$945,000
Payments in lieu of construction	+ \$0
Other funds	+ \$0
Interest	+ \$18,900
TOTAL REVENUE	= \$963,900
EXPENDITURES	
Funds used for Rehabilitation	- \$0
Funds used for New Construction	
1. Route 73 South Redevelopment Project	- \$539,784
2.	- \$
3.	- \$
4.	- \$
5.	- \$
6.	- \$
7.	- \$
8.	- \$
9.	- \$
10.	- \$
Affordability Assistance	- \$289,170
Administration	- \$134,946
Excess Funds for Additional Housing Activity	= \$0
1. <i>[list individual projects/programs]</i>	- \$
2.	- \$
3.	- \$
TOTAL PROJECTED EXPENDITURES	= \$963,900
REMAINING BALANCE	= \$0.00

7. Affordable Housing Ordinance

Council on Affordable Housing

Borough of Palmyra Affordable Housing Ordinance

AN ORDINANCE OF BOROUGH OF PALMYRA TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

Section 1. Affordable Housing Obligation

- (a) This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.
- (b) The Borough of Palmyra Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways Borough of Palmyra shall address its fair share for low- and moderate-income housing as determined by the Council on Affordable Housing (COAH) and documented in the Housing Element.
- (c) This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:97 as may be amended and supplemented.
- (d) The Borough of Palmyra shall file monitoring reports with COAH in accordance with N.J.A.C. 5:96, tracking the status of the implementation of the Housing Element and Fair Share Plan. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by COAH in accordance with N.J.A.C. 5:96 shall be available to the public at the Borough of Palmyra Municipal Building, Municipal Clerk's Office, 20 West Board Street, Palmyra, New Jersey, or from COAH at 101 South Broad Street, Trenton, New Jersey and on COAH's website, www.nj.gov/dca/affiliates/coah.

Section 2. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

"Adaptable" means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

"Administrative agent" means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:96, N.J.A.C. 5:97 and N.J.A.C. 5:80-26.1 et seq.

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:97-9; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:97-4, and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Median income” means the median income by household size for the applicable county, as adopted annually by COAH.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by COAH’s adopted Regional Income Limits published annually by COAH.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

Section 3. Affordable Housing Programs

The Borough of Palmyra has determined that it will use the following mechanisms to satisfy its affordable housing obligations:

- (a) A Rehabilitation program.
 - 1. Borough of Palmyra's rehabilitation program shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
 - 2. Both owner occupied and renter occupied units shall be eligible for rehabilitation funds.
 - 3. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner occupied units the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.
 - 4. The Borough of Palmyra shall dedicate a minimum of \$10,000 for each unit to be rehabilitated through this program, reflecting the minimum hard cost of rehabilitation for each unit.
 - 5. The Borough of Palmyra shall adopt a resolution committing to fund any shortfall in the rehabilitation programs for the Borough of Palmyra.
 - 6. The Borough of Palmyra shall designate, subject to the approval of COAH, one or more Administrative Agents to administer the rehabilitation program in accordance with N.J.A.C. 5:96 and N.J.A.C. 5:97. The Administrative Agent(s) shall provide a rehabilitation manual for the owner occupancy rehabilitation program and a rehabilitation manual for the rental occupancy rehabilitation program to be adopted by resolution of the governing body and subject to approval of COAH. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
 - 7. Units in a rehabilitation program shall be exempt from N.J.A.C. 5:97-9 and Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
 - i. If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC.
 - ii. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC.
 - iii. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9.

- iv. Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:97-9 and UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

Section 4. Reserved

Section 5. Reserved

Section 6. Reserved

Section 7. New Construction

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- (a) Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
 - 1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.
 - 2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
 - 3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - i. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
 - ii. At least 30 percent of all low- and moderate-income units shall be two bedroom units;
 - iii. At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
 - iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
 - 4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.
- (b) Accessibility Requirements:
 - 1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.
 - 2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:

- i. An adaptable toilet and bathing facility on the first floor;
 - ii. An adaptable kitchen on the first floor;
 - iii. An interior accessible route of travel on the first floor;
 - iv. An interior accessible route of travel shall not be required between stories within an individual unit;
 - v. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - vi. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, or evidence that the Borough of Palmyra has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - A. Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - B. To this end, the builder of restricted units shall deposit funds within the Borough of Palmyra's affordable housing trust fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
 - C. The funds deposited under paragraph B. above shall be used by the Borough of Palmyra for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - D. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of the Borough of Palmyra.
 - E. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, and that the cost estimate of such conversion is reasonable, payment shall be made to Palmyra's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.
 - F. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.
- (c) Maximum Rents and Sales Prices

1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and in COAH, utilizing the regional income limits established by COAH.
2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.
3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.
 - i. At least 10 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.
 - ii. At least 13 percent of all very low-income rental units in the Route 73 South Redevelopment project shall be affordable to households earning 30 percent or less of median income.
4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
5. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household;
 - iii. A two-bedroom unit shall be affordable to a three-person household;
 - iv. A three-bedroom unit shall be affordable to a four and one-half person household; and
 - v. A four-bedroom unit shall be affordable to a six-person household.
6. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - iii. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.

7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
8. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
10. The rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
11. **Utilities.** Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

Section 9. Affirmative Marketing Requirements

- (a) Borough of Palmyra shall adopt by resolution an Affirmative Marketing Plan, subject to approval of COAH, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- (b) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 5 and covers the period of deed restriction.
- (c) *Optional.* The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 5 comprised of Burlington, Camden and Gloucester Counties.

- (d) The Administrative Agent designated by the Borough of Palmyra shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
- (c) In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- (f) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- (g) The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by Borough of Palmyra.

Section 10. Occupancy Standards

- (a) In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - 1. Provide an occupant for each bedroom.
 - 2. Provide children of different sex with separate bedrooms; and
 - 3. Prevent more than two persons from occupying a single bedroom.
- (b) Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

Section 11. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

- (a) Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until the Borough of Palmyra elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- (c) Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.
- (d) At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after

the unit's release from the requirements of this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

- (e) The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- (f) A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 12. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- (a) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- (b) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- (c) The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- (d) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

Section 13. Buyer Income Eligibility

- (a) Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
- (b) The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and

condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

Section 14. Limitations on indebtedness secured by ownership unit; subordination

- (a) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- (b) With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C.5:80-26.6(b).

Section 15. Control Periods for Restricted Rental Units

- (a) Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until the Borough of Palmyra elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Burlington. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- (c) A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:
 - 1. Sublease or assignment of the lease of the unit;
 - 2. Sale or other voluntary transfer of the ownership of the unit; or
 - 3. The entry and enforcement of any judgment of foreclosure.

Section 16. Price Restrictions for Rental Units; Leases

- (a) A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- (b) No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.

- (c) Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

Section 17. Tenant Income Eligibility

- (a) Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
 - 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
 - 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
- (b) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - 1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - 3. The household is currently in substandard or overcrowded living conditions;
 - 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - 5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- (c) The applicant shall file documentation sufficient to establish the existence of the circumstances in (b)1 through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

Section 18. Administration

- (a) The position of Municipal Housing Liaison (MHL) for Borough of Palmyra is established by this ordinance. The Borough Council shall make the actual appointment of the MHL by means of a resolution.
1. The MHL must be either a full-time or part-time employee of Borough of Palmyra.
 2. The person appointed as the MHL must be reported to COAH for approval.
 3. The MHL must meet all COAH requirements for qualifications, including initial and periodic training.
 4. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Borough of Palmyra, including the following responsibilities which may not be contracted out to the Administrative Agent:
 - i. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
 - ii. The implementation of the Affirmative Marketing Plan and affordability controls.
 - iii. When applicable, supervising any contracting Administrative Agent.
 - iv. Monitoring the status of all restricted units in the Borough of Palmyra's Fair Share Plan;
 - v. Compiling, verifying and submitting annual reports as required by COAH;
 - vi. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
 - vii. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by COAH.
- (b) The Borough of Palmyra shall designate by resolution of the Borough Council, subject to the approval of COAH, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:96, N.J.A.C. 5:97 and UHAC.
- (c) An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of COAH. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
- (d) The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:
1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;

2. Affirmative Marketing;
2. Household Certification;
3. Affordability Controls;
4. Records retention;
5. Resale and re-rental;
6. Processing requests from unit owners; and
7. Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
8. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

Section 19. Enforcement of Affordable Housing Regulations

- (a) Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- (b) After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - i. A fine of not more than *[insert amount]* or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
 - ii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Borough of Palmyra's Affordable Housing Trust Fund of the gross amount of rent illegally collected;

- iii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
- (c) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
- (d) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.
- (e) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (f) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which

the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

- (g) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- (h) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 20. Appeals

Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed in writing with the Executive Director of COAH.

REPEALER

All Ordinances or parts of Ordinances ~~inconsistent~~ herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

8. Rehabilitation Compliance Documentation and Checklist

REHABILITATION PROGRAM (N.J.A.C. 5:97-6.2)

General Description

Municipality/County: Borough of Palmyra, Burlington County

Program Name: Local

Number of proposed units to be rehabilitated: 13

Information and Documentation Required with Petition

- ☒ Determination of Rehabilitation Share
- ☒ Accept number in N.J.A.C. 5:97 – Appendix B; **OR**
- ☐ Exterior Housing Survey conducted by the municipality
- ☒ Information regarding the rehabilitation program on forms provided by the Council. (If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☒ in lieu of submitting forms.)
- ☒ Documentation demonstrating the source(s) of funding
- ☒ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall
- ☒ Schedule illustrating how the rehabilitation share will be addressed within the period of substantive certification

Information and Documentation Required Prior to Substantive Certification

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted rehabilitation operating manual that includes a description of the program procedures and administration including a copy of sample deed restriction and/or lien.
- ☐ Affirmative Marketing Plan for the re-rental of rehabilitated rental units, in accordance with UHAC

Rehabilitation Narrative Section

Schedule

December 31 , 2008 - 7 units completed (or 35% of obligation).

October 2009 - Apply for Small Cities Grant for 7 additional units to be completed by December 2011
(70% of obligation complete)

October 2012 - Apply for Small Cities funds for 6 units to be completed by December 2014 (100% of
obligation complete)

9. Route 73 South Compliance Documentation and Checklist

PROPOSED REDEVELOPMENT AREAS (N.J.A.C. 5:97-6.6)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: Borough of Palmyra, Burlington County

Project Name/Redevelopment Designation: Route 73 South Redevelopment Area

Block(s) and Lot(s): Block 135.01, Lot 1; Block 138, Lots 1 - 3; Block 139, Lot 1; Block 140, Lots 1 - 3; Block 142.01, Lot 1; Block 143, Lot 1; Block 144, Lot 1; Block 145, Lot 1; Block 146, Lots 1 & 2; Block 154, Lots 2.01 & 4.01; Block 156, Lots 1, 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 2, 2.01, 3.01, 4.01, 5.01, 6.01 and 16; and, Block 156.01, Lots 1 - 1.03.

Total acreage: 194 Proposed density (units/gross acre): _____

Affordable Units Proposed: 145

Family: 145 Sale: 0 Rental: 145

Very low-income units: 23 Sale: 0 Rental: 23

Age-Restricted: 0 Sale: 0 Rental: 0

Market-Rate Units Anticipated: 355

Non-Residential Development Anticipated (in square feet): 750,000

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: 10

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 45

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: 0

Smart growth bonuses as per N.J.A.C. 5:97-3.18: 0

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: 0

Compliance bonuses as per N.J.A.C. 5:97-3.17 0

Palmyra_COAH_redevelopment_checklist

Date zoning or redevelopment plan adopted: 6/1/2001

Date development approvals granted: _____

**Information and Documentation Required with Petition or in Accordance with an
Implementation Schedule**

The municipality is providing an implementation schedule for this project/program.

☒ Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementation schedule.

☐ No. Continue with this checklist.

☐ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CIM update, also check here ☒ in lieu of submitting forms.)

☐ Adopted Resolution designating Redevelopment Area

☐ Demonstration of DCA's approval of Redevelopment Area designation. Check here ☐ if non-applicable.

☐ Redevelopment plan adopted by the governing body which includes the requirements for affordable housing

☐ A description of the site, including its location, acreage and existing and intended use

☐ An anticipated timeline and development process expected for the site

If payments in lieu of on-site construction of the affordable units is an option:

☐ Proposed or adopted ordinance establishing the amount of the payments

☐ Spending plan

A general description of the site, including:

☐ Name and address of owner

☐ Subject property street location

☐ Subject property block(s) and lot(s)

☐ Indicate if urban center or workforce housing census tract

☐ Subject property total acreage

☐ Previous zoning designation and date previous zoning was changed

☐ Current zoning and date current zoning was adopted

☐ Description of any changes to bulk standards intended to accommodate the proposed densities

- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)
- ☐ Map of Redevelopment Area

**Information and Documentation Required prior to Substantive Certification or in Accordance
with an Approved Implementation Schedule**

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 to serve the proposed redevelopment area or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 to serve the proposed redevelopment area or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ A copy of the final Request for Proposals, which includes the requirements for affordable housing. Check here ☐ if non-applicable.
- ☐ Demonstration that the municipality or redeveloper either has control of the site or an option on the property or a plan in place for obtaining site control, in accordance with the LHRL
- ☐ An executed redevelopment agreement that results in the creation of affordable housing units and which shall include the following:

- ☐ Number, tenure and type of units
- ☐ A schedule for the overall development plan, including phasing of residential development
- ☐ Compliance with N.J.A.C. 5:94-6.4(i)-(k)
- ☐ Demonstration that the first floor of all townhouse or other multistory dwelling units is accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ If applicable, current status of the municipality's Workable Relocation Assistance Program (WRAP)

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC, except for low- and moderate-income households displaced by redevelopment that are given preference for new units

PROPOSED REDEVELOPMENT AREAS (N.J.A.C. 5:97-6.6)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Redevelopment Area information, including the following:

Redevelopment Area Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Adopted resolution designating Redevelopment Area	6/1/2001	12/1/2005

Demonstration of DCA's approval of Redevelopment Area designation (enter N/A if not applicable)	N/A	N/A
Redevelopment plan adopted by the governing body which includes the requirements for affordable housing	6/1/2001	12/1/2005

(B) Development schedule, including, but not limited to, the following:

Redevelopment Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification		6/1/2001	12/1/2005
RFP Process (enter N/A if not applicable)	N/a	N/a	
Developer Selection	6/1/2001	10/1/2009	12/1/2009
Site Plan Preparation	1/1/2010	12/1/2010	12/31/2010
Development Approvals	1/1/2011	12/1/2011	12/31/2011
Contractor Selection	1/1/2011	12/1/2011	12/31/2011
Building Permits	1/1/2011	12/1/2011	12/31/2011
Construction	1/1/2012	12/1/2014	12/31/2014
Occupancy	1/1/2015	12/1/2015	12/31/2015

Redevelopment Narrative Section

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

11. Resolution of Intent to Bond

Resolution by Governing Body of Intent to Bond for Shortfall

RESOLUTION 2008-156

WHEREAS, the Borough of Palmyra in Burlington County has petitioned the Council on Affordable Housing (COAH) for substantive certification of its adopted housing element and fair share plan; and

WHEREAS, COAH has determined that the Borough of Palmyra must allocate funds to meet the actual growth amount generated by future development and existing rehabilitation need; and

WHEREAS, the Borough of Palmyra anticipates that funding will come from the following sources to satisfy said obligation: the developer of the Route 73 South Redevelopment Area and Department of Community Affairs Small Cities Program; and

WHEREAS, in the event that the above funding sources prove inadequate to meet the Borough of Palmyra's funding obligation, the Borough of Palmyra shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Palmyra in Burlington County, State of New Jersey, that the governing body does hereby agree to fund any shortfall in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that said shortfall shall be funded by bonding if there are no other resources.

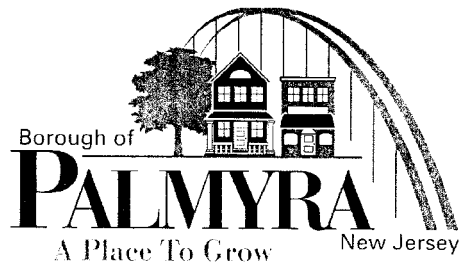
CERTIFICATION OF CLERK

I, KAREN GIFT, Clerk of the Borough of Palmyra, in the County of Burlington and State of New Jersey, hereby certify that the foregoing is a true copy of a resolution duly adopted by the governing body of the Borough of Palmyra at the Regular Meeting thereof held on December 1, 2008.


KAREN GIFT
BOROUGH CLERK

12. Master Plan Reexamination Report

REEXAMINATION OF THE MASTER PLAN
BOROUGH OF PALMYRA, BURLINGTON COUNTY



Prepared pursuant to N.J.S.A. 40:55D-89
Municipal Land Use Law

Adopted by the
Borough of Palmyra Land Use Board
March 17, 2008

CGP&H, LLC.
569 Abbington Drive
East Windsor, New Jersey 08520

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STATUTORY REEXAMINATION OF MASTER PLAN

New Jersey's Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-1 et seq., requires all municipalities to reexamine their master plans at least every six years. The purpose of this requirement is for municipalities to have regular, periodic reviews of current information and changing conditions within the municipality in the interest of keeping long-range planning as up-to-date as possible.

In C.40:55D-89 of the MLUL, the following language is set forth:

The governing body shall, at least every six years, provide for a general reexamination of its master plan and development regulations by the planning board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board and the municipal clerk of each adjoining municipality...

The Borough of Palmyra's Land Use Board adopted an updated Master Plan on March 19, 2001. That Master Plan was based on the previous Master Plan that was adopted in May, 1992.

INTRODUCTION

The Master Plan serves as the guiding document in the development and redevelopment of municipalities in that it sets forth the vision for the community through the Land Use Board. Through the setting forth of assumptions, policies, goals, and objectives, it becomes the framework against which development activity is compared for conformance thereby providing guidance to boards having land use jurisdiction. The significance of the Master Plan is also derived from the fact that it forms the legal foundation for the zoning ordinance and zoning map which, in turn, must be substantially consistent with the municipality's land use policies as stated in the plan. In addition, the significance of the document is further evidenced by the requirement set forth under N.J.S.A. 40:55D-89 of the Municipal Land Use Law mandating the periodic reexamination of said document by the Planning Board at least every six years with failure to do so constituting "a rebuttable presumption that the municipal development regulations are no longer reasonable."

Given the statutory charge, the Land Use Board of the Borough of Palmyra initiated, in August 2007, a series of monthly meetings, open to the public, in order to discuss and encourage public participation in the review of the Borough's 1992 Master Plan and 2001 Reexamination Report which under the Municipal Land Use Law is to address:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or redevelopment regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county, and municipal policies and objectives.
- c. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies, and standards, or whether a new plan or regulations should be prepared.
- e. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The MLUL requires consideration of these five areas of concern within the statutory reexamination report. Those areas are identified below along with response statements.

REVIEW OF PAST CONDITIONS

C.40:55D-89a of the MLUL provides that the reexamination report shall review:

The major problems and objectives relating to land development in the municipality at the time of the last reexamination report.

At the time of the development of the 1992 Master Plan, the Borough identified several land use issues as being impediments to development. These included:

- The not fully productive utilization of lands contiguous to the Route 73 corridor.
- Constraints imposed, via regulation, on the environmentally sensitive lands on the west side of Route 73 in proximity to the Delaware River.
- The trend toward decline of the downtown business district.
- The limited utilization of available open space.
- The vacancy of the drive-in theatre site on the west side of Route 73.
- The absence of sufficient stormwater management standards relating to new development.
- The lack of buffer requirements addressing the screening of disparate contiguous uses and lack of controls regulating the intensity of commercial and industrial development.

- The lack of comprehensive stormwater management mapping and details relating to size, location, and conditions of existing piping.
- The instances of less than adequate stormwater management facilities resulting in localized flooding conditions.
- The presence of undersized 4" water mains.
- The need of the Department of Public Works for sewer jetting equipment.

A. Land Development Objectives

Strategic objectives incorporated into the framework of the 1992 document included:

- The provision of a balanced land use development pattern enabling effective public facilities management.
- The provision of a range of housing types through both rehabilitation and in-fill construction.
- The improvement of the transportation system for the more efficient movement of people and goods.
- The provision of utility services in satisfaction of Borough needs and rectification of storm drainage problems.
- The expansion of community facilities in support of the Borough's population.
- The provision of a comprehensive system of public recreation facilities.
- The protection of natural and environmental resources.
- The development of an effective energy conservation program.
- The preservation of Palmyra's heritage.

Specific land use/development objectives for the fully productive utilization of lands within Palmyra, as enunciated encompassed:

- The protection of residential areas from encroachment of commercial and industrial uses.
- The expansion of open space through the development of parklands along the Delaware River from the Pennsauken creek to Riverton, and through the development of a linear park and the anticipated heritage trail.

- The improvement of the downtown business district through the encouragement of commercial in-fill construction.
- The evaluation of residential densities, bulk standards, and land uses to ensure a desired quality of living.
- The encouragement of commercial development along the Route 73 corridor so as to expand the tax base while concomitantly preserving adjoining residential areas.
- The undertaking of initial steps leading to environmentally sensitive development of lands west of Route 73.

PROBLEMS AND OBJECTIVES: STRATEGIC OVERVIEW

The general reexamination report has the statutory charge of reviewing the status of the goals and objectives identified, in this case, of the 1992 Master Plan so as to ascertain currency, and where, through proactive municipal action, problematic conditions have been ameliorated, and where, in the alternative, such conditions have become further aggravated. Given this charge, the report notes:

A. Status of Major Land Development Problems

The problems identified in the 1992 Master Plan are generally carried forward. Comment is provided in those instances where a change in status has occurred or in those instances where a change of status is anticipated given ongoing Borough action.

- The not fully productive utilization of lands contiguous to the Route 73 corridor is being addressed through the Borough Council's directive to the Land Use Board to conduct a preliminary investigation to ascertain the appropriateness of an area in need of redevelopment determination. The determination was made that the area is in need of redevelopment and negotiations are ongoing with a preferred Master Redeveloper.
- The trend toward decline of the downtown business district remains an issue with ongoing storefront vacancies. The issue is being addressed by a partnership between the Burlington County of Economic Development and Regional Planning, which is conducting a Determination of Need Study, and the Borough, which will develop a downtown revitalization planned based on the County's findings. In addition, owner rehabilitation should be encouraged and the Palmyra Economic Development committee and Palmyra Business Alliance should spearhead business recruitment efforts.
- The former drive-in theatre on the west side of Route 73 is now the site of what is commonly referred to as a flea market. Private sector redevelopment is being utilized to address this issue.

- The absence of sufficient stormwater management standards relating to new development has been abated to the extent standards are imposed through the Residential Site Improvement Standards.
- New Jersey-American Water Company has replaced several of the undersized 4" water mains.
- The Department of Public Works has acquired sewer jetting equipment.

SIGNIFICANT CHANGES TO THE UNDERLYING BASIS OF THE MASTER PLAN AND DEVELOPMENT REGULATIONS VIS-À-VIS ASSUMPTIONS, POLICIES, AND OBJECTIVES

The 1992 Master Plan did not incorporate specific assumptions nor specific overarching policies. In view of this and given the significance of the new conditions, set forth infra, this reexamination report recommends the preparation of a new document that would provide the basis for the specific changes recommended in the next section.

A. Significant New Conditions

- Through technology, increasing numbers of people utilizing portions of their homes for professional use necessitating an evaluation of regulations relating thereto.
- The introduction of the RiverLine transit system continues to play a positive role in strengthening the local economy. However, stagnant economic conditions remain in the Borough's Broad Street corridor and the area lacks destination shops and restaurants needed to create a vibrant atmosphere that will attract visitors to the corridor, particularly in the evening hours.
- The development of the Palmyra Cove Nature Park has not been fully utilized to attract visitors to downtown Palmyra and joint marketing opportunities need to be explored.
- The anticipated introduction of the Delaware River Heritage Trail which will afford enhanced opportunities for the enjoyment of the outdoors.
- The utilization of proactive measures, to encourage development and redevelopment, available through the Local Redevelopment and Housing Law N.J.S.A.40A:12A-1 et. seq. should be continued in Palmyra once the Route 73 South Redevelopment Project is under a Redevelopers Agreement.

RECOMMENDED SPECIFIC CHANGES TO THE MASTER PLAN AND DEVELOPMENT REGULATIONS

A. Recommended Master Plan Changes

- Incorporate the below listed assumptions:
 - The ongoing expansion and preservation of open space and active and passive recreation opportunities should be continued to the greatest extent possible.
 - Efforts should be continued to remediate the lands west of Route 73 to facilitate redevelopment.
 - The Borough should investigate avenues to reverse the trend of single-family housing units being converted to multi-family rental units.
 - The Borough will continue to have a constitutional obligation to provide housing affordable to low and moderate income families. This obligation should be placed on the selected Master Redeveloper for the Route 73 South project, to minimize the fiscal impact on the Borough.
 - Infrastructure specifically sanitary sewer collection system infrastructure is in need of replacement.
 - The reduction of solid waste from the waste stream is desirable and necessary.
 - Development having an impact on buildings and sites significant to the heritage of Palmyra should be reviewed and reported on by a Historic Advisory Commission.
- Establish policies to provide guidance to development/redevelopment determinations. Said policies to include:
 - Economic vitality and the fully productive utilization of land should be promoted through the development /redevelopment process.
 - Redevelopment planning as enunciated under the Land Redevelopment and Housing Law N.J.A.C. 40A:12A-1 et. seq. should continue to be promoted.
 - The Borough's affordable housing obligation should be satisfied via the redevelopment process.
 - Development and redevelopment activities must be respectful of the environment and promote the preservation of green space.

- Public improvements and improvements to facilities frequented by the public are to be barrier-free and in accord with ADA Accessibility Guidelines.

B. Recommended Development Regulation Changes

Master Plan amendments by element are set forth:

○ **Housing Plan**

The general reexamination report recommends the inclusion of specific language in the Master Plan calling for continuing the ongoing efforts by the Borough to attain certification through the Council on Affordable Housing (C.O.A.H.).

○ **Circulation Element**

Recommendations relating to both pedestrian and vehicular traffic include:

- Establishment of one-way traffic circulation along West Broad Street from Cinnaminson Avenue to Chestnut Avenue so as to enhance pedestrian safety in the vicinity of the municipal building, post office and planned community center. Angled parking should also be created on West Broad Street to address access issues in the downtown district.

○ **Community Facilities Element**

- For the Municipal Complex:
 - Develop a new community center to meet the recreation, community and cultural needs of the Borough's residents.
 - Installation of angled parking along West Broad Street.

○ **Recreation Element**

- Examine the feasibility of replacing the Legion Field soccer surface with safer, more durable synthetic turf.
- Encourage development and participate in the planning of the proposed Delaware River Heritage Trail.
- Revitalize the recreational facilities at the Ethel B. Hardy Playground.
- Continue to expand recreational opportunities for Borough residents.

- **Conservation Element**

- Development of an open space plan.
- Continue to acquire parcels which could be used to expand existing recreational opportunities.
- Study feasibility of acquiring the parcel commonly known as the "Sharp Estate" and incorporating said land into the Borough's recreational lands inventory.

- **Utilities Element**

- Replacement or upgrading of public and/or private below grade infrastructure, as necessary, at the time of street reconstruction.
- Establishment of a 5 year moratorium on street openings where streets have been rebuilt or resurfaced.

- **Historic Preservation**

- Expand the capacity of the Borough's Historic Society to protect significant resources via the acquisition or easement and encourage grantseeking for such activities.

- **Recycling Element**

- The provision of a recycling report should be incorporated as a submission requirement for all development applications with the exception of minor subdivision applications.
- The Borough should examine sharing services and utilizing alternative energy sources to reduce its carbon footprint
- Residents should be encouraged to expand recycling activities through information published in the Borough Directory, The Bridge newsletter, and through information provided with tax bill mailings.

INCORPORATION OF REDEVELOPMENT PLANS

As directed by the Borough Council, the Land Use Board has completed two Determination of Need studies to facilitate the redevelopment of both the West Broad Street corridor and the Route 73 South area. Efforts should be maintained to build on these initiatives as a tool to revitalize the Borough of Palmyra and to address blighted or brownfield conditions.